

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TREMONT SECURITIES LAW,
STATE LAW AND INSURANCE
LITIGATION

Master File No.:

08 Civ. 11117 (TPG)

This Document Relates to:

All Actions

**[PROPOSED] ORDER GRANTING LAKEVIEW'S REQUEST
FOR EXCLUSION; SUSTAINING LAKEVIEW'S OBJECTION TO
CONSOLIDATION; AND REMANDING LAKEVIEW'S ACTION
TO THE STATE COURT IN WHICH IT WAS FILED**

This matter came before the Court for a hearing which was held on June 1, 2011 (the "Hearing"), pursuant to the Order of this Court entered April 5, 2011, on the application of Settling Class Plaintiffs for an order approving the Proposed Settlement, the Plans of Allocation and class counsel's request for attorney fees and expenses. Plaintiff Lakeview Investment, LP ("Lakeview"), by and through its counsel, S. Benjamin Rozwood, appeared to object to Settling Class Plaintiffs' application. Lakeview also appeared to argue (1) its pending objection (Doc.424) to the Court's April 13, 2011 minute orders consolidating Lakeview's action with this action (the "Consolidation Orders") (Doc. 25 in 1:11-cv-01851; Doc. 422 in 1:08-cv-11117); and (2) its pending motion for remand (Doc. 425-426).

The Court, having considered all matters submitted and argued, and for good cause shown, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. Lakeview's Request for Exclusion dated May 11, 2011 (Doc. 535-5) is granted;
2. Lakeview's objection to the Consolidation Orders is sustained;
3. Lakeview's motion for remand (Doc. 425) is granted; and
4. Lakeview's action is remanded to the California Superior Court for the County of Marin, California.

SIGNED this _____ day of _____, 2011

Honorable Thomas P. Griesa
UNITED STATES DISTRICT JUDGE

SERVICE LIST

Eric S. Waxman, Esq.
Thomas E. Haroldson, Esq.
Kevin D. Lloyd, Esq.
SKADDEN ARPS SLATE
MEAGHER & FLOM LLP
300 S. Grand Ave., Suite 3400
Los Angeles, CA 90071-3144
Telephone: (213) 687-5000
Facsimile: (213) 687-5600
Attorneys for Petitioners

Leanna M. Anderson, Esq.
Glenn Colton, Esq.
SNR Denton US LLP
601 S. Figueroa St., Suite 2500
Los Angeles, CA 90017-5704
Telephone: (213) 623-9300
Facsimile: (213) 623-9924
*Attorneys for Defendant
Barry Colvin*

Andrew M. Vogel, Esq.
Alan Jay Weil, Esq.
Gaims Weil West and Epstein
1875 Century Pk. East, Ste. 2100
Los Angeles, CA 90067
Telephone: (310) 407-4577
Facsimile: (310) 277-2133
*Attorneys for Defendant
Michael T. Rollings*

Christopher Kim, Esq.
John Lorenzo Jones, II, Esq.
Lim, Ruger & Kim LLP
1055 W. Seventh St. Suite 2800
Los Angeles, CA 90017
Telephone: (213) 955-9500
Facsimile: (213) 955-9511
*Attorneys for Defendants Sandra
Manzke and Suzanne Hammond*

Michael P. McNamara, Esq.
Kristen H. Spira, Esq.
STEPTOE & JOHNSON LLP
2121 Avenue of the Stars
Suite 2800
Los Angeles, CA 90067
Telephone: (310) 734-3240
Facsimile: (310) 734-3140
*Attorneys for Defendant
Rye Select Broad Market
Prime Fund, L.P.*

Susan L. Hoffman, Esq.
Karen Pazzani, Esq.
BINGHAM McCUTCHEN LLP
355 S. Grand Ave., Suite 4400
Telephone: (213) 680-6400
Facsimile: (213) 680-6499
*Attorneys for Defendants
Massachusetts Mutual Life
Insurance Co. and MassMutual
Holding Co.*

Matthew L. Larrabee, Esq.
DECHERT LLP
One Maritime Plaza, Suite 2300
San Francisco, CA 94111-3513
Telephone: (213) 680-6400
Facsimile: (213) 680-6499
*Attorneys for Defendants
Oppenheimer Acquisition Corp.,
John V. Murphy, and
Kurt Wolfgruber*

